

CLERK
U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)
CURTIS J. KALCHTHALER) Case No. 19-20355 GLT
)
) Chapter 13
Debtor(s).) Related to Doc. No. 74
X

ORDER OF COURT
(Check Boxes That Apply)

- ☒ Confirming Plan on Final Basis ☐ Chapter 13 Plan dated:
☐ Authorizing Distributions Under Plan ☒ Amended Chapter 13 dated:
On Interim Basis Solely as Adequate Protection 11-4-22

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is **\$1842** effective **9/19**.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be **\$2511**, beginning **1/23**. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. *Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.* The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
Munhall Boro CL.#10
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:

☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:

☒ K. Additional Terms and Conditions:

Navient CL.#18 paid \$285/month as unsecured specially classified at Level

28.

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims

objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

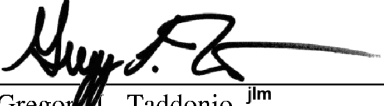
E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed *secured claim* (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: December 16, 2022



Gregory L. Taddonio ^{jlw}
Chief United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk

In re:
Curtis J. Kalchthaler
Debtor

Case No. 19-20355-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Dec 16, 2022

User: auto
Form ID: pdf900

Page 1 of 4
Total Noticed: 46

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 18, 2022:

Recip ID	Recipient Name and Address
db	+ Curtis J. Kalchthaler, 3711 Main St., Munhall, PA 15120-3266
15000523	+ Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250
14985291	+ Borough of Munhall Garbage, c/o Legal Tax Services Inc., 714 Lebanon Road, West Mifflin, PA 15122-1030
15013330	Centers for Rehab Services, PO Box 1123, Minneapolis, MN 55440-1123
15000531	+ MDJ 05-2-15, Thomas R. Torkowsky, 510 East 8th Avenue, Munhall, PA 15120-1966
15015378	+ Munhall Borough, c/o Legal Tax Service, 714 Lebanon Road, West Mifflin, PA 15122-1030
15030506	+ PINGORA LOAN SERVICING LLC, FLAGSTAR BANK F.S.B., 5151 CORPORATE DRIVE, SUITE 3-142, TROY MI 48098-2639
14985298	Pingora Loan Servicing LLC, c/o Peter Wapner Esq., Phelan Hallinan Diamond & Jones, 1 Penn Center Suburban Station Ste 1400, Philadelphia, PA 19103
14985302	Synchrony Bank, c/o Portfolio Recovery Associates 120 Co, Suite 100, Norfolk, VA 23502
14985303	Time Payment Corporation, 16 North East Executive Office Park, # 200, Burlington, MA 01803

TOTAL: 10

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Dec 16 2022 23:43:00	Americredit Financial Services, Inc. Dba GM Financ, P.O Box 183853, Arlington, TX 76096-3853
cr	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Dec 16 2022 23:43:00	Americredit Financial Services, Inc., d/b/a GM Fin, 4000 Embarcadero Dr., Arlington, TX 76014-4101
15005575	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Dec 16 2022 23:43:00	Americredit Financial Services, Inc., Dba GM Financial, P.O Box 183853, Arlington, TX 76096
14985290	+ Email/Text: bankruptcy@rentacenter.com	Dec 16 2022 23:43:00	Acceptance Now, 5501 Headquarters Drive, Plano, TX 75024-6191
14985292	Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 16 2022 23:48:51	Capitol One, P.O. Box 85520, Richmond, VA 23285
15000525	Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 16 2022 23:48:38	Capital One, P.O. Box 85520, Richmond, VA 23285
15028899	Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 16 2022 23:49:03	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
14985293	+ Email/PDF: creditonebknotifications@resurgent.com	Dec 16 2022 23:48:52	Credit One Bank, c/o LVNV Funding, Po Box 98875, Las Vegas, NV 89193-8875
14985294	Email/Text: mrdiscen@discover.com	Dec 16 2022 23:42:00	Discover Card, Discover Financial Services, Po Box 15316, Wilmington, DE 19850
14989187	Email/Text: mrdiscen@discover.com	Dec 16 2022 23:42:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15027760	+ Email/Text: kbarkley@bernsteinlaw.com		

District/off: 0315-2

User: auto

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		Dec 16 2022 23:43:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
14985295	+ Email/Text: bnc-bluestem@quantum3group.com		
		Dec 16 2022 23:43:00	Fingerhut, c/o Webbank, 6250 Ridgewood Rd., Saint Cloud, MN 56303-0820
14985296	+ Email/Text: cashiering-administrationservices@flagstar.com		
		Dec 16 2022 23:43:00	Flagstar Bank, 5151 Corporate Drive, Troy, MI 48098-2639
15000530	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM		
		Dec 16 2022 23:43:00	GM Financial, P.O. Box 78143, Phoenix, AZ 85062-8143
15003411	Email/Text: JCAP_BNC_Notices@jcap.com		
		Dec 16 2022 23:43:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
14989316	Email/PDF: resurgentbknotifications@resurgent.com		
		Dec 16 2022 23:48:53	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15097425	+ Email/PDF: ais.midfirst.ebn@aisinfo.com		
		Dec 16 2022 23:49:03	MidFirst Bank, Bankruptcy Department, 999 NW Grand Boulevard, #110, Oklahoma City, OK 73118-6051
15000532	+ Email/Text: bankruptcydpt@mcmcg.com		
		Dec 16 2022 23:43:00	Midland Funding LLC, 1 International Plaza 5th Floor, Philadelphia, PA 19113-1510
15004804	+ Email/Text: bankruptcydpt@mcmcg.com		
		Dec 16 2022 23:43:00	Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
15046964	Email/PDF: pa_dc_ed@navient.com		
		Dec 16 2022 23:48:38	Navient Solutions, LLC on behalf of, Department of Education Loan Services, PO BOX 9635, Wilkes-Barre, PA 18773-9635
15030336	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com		
		Dec 16 2022 23:48:39	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14986417	+ Email/PDF: rmscedi@recoverycorp.com		
		Dec 16 2022 23:48:53	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15000533	+ Email/Text: paparalegals@pandf.us		
		Dec 16 2022 23:43:00	Patenaude & Felix, A.P.C., 501 Corporate Drive, Southpointe - Suite 205, Canonsburg, PA 15317-8584
14985297	+ Email/PDF: gecsed@recoverycorp.com		
		Dec 16 2022 23:48:38	Paypal/Synchrony Bank, Po Box 965005, Orlando, FL 32896-5005
15001972	+ Email/Text: ebnpeoples@grblaw.com		
		Dec 16 2022 23:43:00	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
14985299	+ Email/PDF: resurgentbknotifications@resurgent.com		
		Dec 16 2022 23:49:04	Resurgent Capital, LVNV Funding, Po Box 1269, Greenville, SC 29602-1269
14985300	+ Email/Text: bknotice@ercbpo.com		
		Dec 16 2022 23:43:00	Sprint, c/o Enhanced Recovery Corp., Po Box 57547, Jacksonville, FL 32241-7547
14985301	+ Email/Text: bankruptcydpt@mcmcg.com		
		Dec 16 2022 23:43:00	Synchrony Bank, c/o Midland Funding, 2365 Northside Drive #300, San Diego, CA 92108-2710
14985304	+ Email/PDF: pa_dc_ed@navient.com		
		Dec 16 2022 23:49:04	U.S Department of Education, c/o Navient, Po Box 9635, Wilkes Barre, PA 18773-9635
15013780	+ Email/PDF: OGCRRegionIIIBankruptcy@hud.gov		
		Dec 16 2022 23:48:37	U.S. Department of Housing and Urban Development, 451 7th St. S.W., Washington, DC 20410-0002
15017819	^ MEBN		
		Dec 16 2022 23:36:00	UPMC Health Services, PO Box 1123, Minneapolis MN 55440-1123
14985305	+ Email/Text: bdsupport@creditmanagementcompany.com		
		Dec 16 2022 23:43:00	UPMC Tuition Benefit, C/O Credit Management Co, 2121 Noblestown Road, Pittsburgh, PA 15205-3956
14985306	+ Email/Text: webadmin@vhlhc.co		
		Dec 16 2022 23:43:00	Vance & Huffman LLC, 55 Monette Parkway, Suite 100, Smithfield, VA 23430-2577
15023814	Email/PDF: ebn_ais@aisinfo.com		

District/off: 0315-2

User: auto

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		Dec 16 2022 23:49:04	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15007266	+ Email/PDF: ais.wellsfargo.ebn@aisinfo.com		
		Dec 16 2022 23:48:52	Wells Fargo Bank N.A., d/b/a Wells Fargo Auto, PO Box 130000, Raleigh NC 27605-1000
14985307	+ Email/PDF: ais.wellsfargo.ebn@aisinfo.com		
		Dec 16 2022 23:49:03	Wells Fargo Dealer Services, Po Box 1697, Winterville, NC 28590-1697

TOTAL: 36

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		MidFirst Bank
cr		PINGORA LOAN SERVICING LLC
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	*+	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15000522	*+	Acceptance Now, 5501 Headquarters Drive, Plano, TX 75024-6191
15000524	*+	Borough of Munhall Garbage, c/o Legal Tax Services Inc., 714 Lebanon Road, West Mifflin, PA 15122-1030
15000526	*+	Credit One Bank, c/o LVNV Funding, Po Box 98875, Las Vegas, NV 89193-8875
15000527	*P++	DISCOVER FINANCIAL SERVICES LLC, PO BOX 3025, NEW ALBANY OH 43054-3025, address filed with court:, Discover Card, Discover Financial Services, Po Box 15316, Wilmington, DE 19850
15000528	*+	Fingerhut, c/o Webbank, 6250 Ridgewood Rd., Saint Cloud, MN 56303-0820
15000529	*+	Flagstar Bank, 5151 Corporate Drive, Troy, MI 48098-2639
15000534	*+	Paypal/Synchrony Bank, Po Box 965005, Orlando, FL 32896-5005
15000535	*	Pingora Loan Servicing LLC, c/o Peter Wapner Esq., Phelan Hallinan Diamond & Jones, 1 Penn Center Suburban Station Ste 1400, Philadelphia, PA 19103
15000536	*+	Resurgent Capital, LVNV Funding, Po Box 1269, Greenville, SC 29602-1269
15000537	*+	Sprint, c/o Enhanced Recovery Corp., Po Box 57547, Jacksonville, FL 32241-7547
15000539	*	Synchrony Bank, c/o Portfolio Recovery Associates 120 Co, Suite 100, Norfolk, VA 23502
15000538	*+	Synchrony Bank, c/o Midland Funding, 2365 Northside Drive #300, San Diego, CA 92108-2710
15000540	*	Time Payment Corporation, 16 North East Executive Office Park, # 200, Burlington, MA 01803
15000541	*+	U.S Department of Education, c/o Navient, Po Box 9635, Wilkes Barre, PA 18773-9635
15000542	*+	UPMC Tuition Benefit, C/O Credit Management Co, 2121 Noblestown Road, Pittsburgh, PA 15205-3956
15000543	*+	Vance & Huffman LLC, 55 Monette Parkway, Suite 100, Smithfield, VA 23430-2577
15000544	*+	Wells Fargo Dealer Services, Po Box 1697, Winterville, NC 28590-1697

TOTAL: 2 Undeliverable, 20 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 18, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 16, 2022 at the address(es) listed below:

Name	Email Address
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District/off: 0315-2

User: auto

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Date Rcvd: Dec 16, 2022

Form ID: pdf900

Total Noticed: 46

Brian Nicholas

on behalf of Creditor MidFirst Bank bnicholas@kmlawgroup.com

Jerome B. Blank

on behalf of Creditor PINGORA LOAN SERVICING LLC jblank@pincuslaw.com

Kenneth Steidl

on behalf of Debtor Curtis J. Kalchthaler julie.steidl@steidl-steinberg.com
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;rlager@st
eidl-steinberg.com;leslie.nebel@steidl-steinberg.com;jseech@steidl-steinberg.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

Thomas Song

on behalf of Creditor PINGORA LOAN SERVICING LLC pawb@fedphe.com

William E. Craig

on behalf of Creditor Americredit Financial Services Inc., d/b/a GM Financial ecfmail@mortoncraig.com,
mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 9